

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

SANTANDER CONSUMER USA, INC.,

Plaintiff,

v.

THE CITY OF SAN ANTONIO, ALANIS
WRECKER SERVICE, LLC AND
ALEJANDRO ALANIS,

Defendants.

Civil Action No: 5:21-cv-172

**CONSENT MOTION BY SANTANDER SCONSUMER USA, INC. TO EXTEND
BRIEFINIG SCHEDULE FOR DISPOSITIVE MOTION OPPOSITION AND REPLY
PAPERS, PRETRIAL CONFERENCE DATE, AND TRIAL DATE**

NOW COME, Santander Consumer USA, Inc. (“Santander” or “Plaintiff”), with the consent of The City of San Antonio (“San Antonio”), Alanis Wrecker Service, LLC (“Wrecker”), and Alejandro Alanis (“Alanis”) (collectively, “Defendants”), files this Motion to Extend the Dispositive Motion Deadline, the Pretrial Conference Date, and the Trial Date (“Santander’s Motion to Extend”).

1. On February 24, 2021, Santander initiated this action against Defendants for violation of its civil rights under 42 U.S.C. § 1983 and §1988 and other related claims.

2. The case is scheduled for trial on December 12, 2022 and a pretrial conference is scheduled for November 30, 2022.

3. Currently pending are Santander’s motion for summary judgment [ECF Doc. No. 61], Wrecker’s and Alanis’s motion for summary judgment [ECF Doc. No. 62], and San Antonio’s motion for summary judgment [ECF Doc. No. 63].

4. The parties have conferred regarding the remaining briefs due on the aforementioned motions. Because of various counsel's trial and travel schedules, as well as upcoming holidays, the parties consent to, and jointly request that the Court grant, the following extension of the briefing schedule for the summary judgment motions as follows:

- a. All parties' opposition papers to be filed on or before November 16, 2022; and
- b. All parties' reply papers to be filed on or before December 9, 2022.

5. This schedule would bring the due dates for briefing past the date scheduled for a pre-trial conference and within 3 days of the date of trial. Because all parties appear to agree there to be a likelihood the Court can adjudicate this matter on summary judgment, the parties also request the Court adjourn the pre-trial conference and trial dates accordingly.

6. Santander proposes a ninety (90) day extension of the pre-trial conference to February 28, 2023.

7. Santander proposes a ninety-one (91) day extension of the trial to March 13, 2023.

WHEREFORE, Plaintiff respectfully asks the Court to grant its Motion.

Dated: October 10, 2022

Respectfully submitted,

NORRIS McLAUGHLIN P.A.
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CERTIFICATE OF SERVICE

I hereby certify that, on October 10, 2022, the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Nicholas A. Duston
Nicholas A. Duston